

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

EUGENE WATSON, :  
Plaintiff :  
v. : Case No. 3:08-cv-191-KRG-KAP  
MICHAEL CATALANO, JEFFREY BEARD, :  
and RICHARD ELLERS, :  
Defendants :

Report and Recommendation

Plaintiff's motion to reconsider, docket no. 15, should be denied.

Plaintiff's motion needs no extended discussion because it reasserts the same flawed position as the objections to the Report and Recommendation which recommended dismissal of the amended complaint. Plaintiff stated and states no racketeering claim, and no predicate acts of mail fraud; even when his pleadings are liberally construed to see if they present a colorable Eighth Amendment claim they are inadequate.

Pursuant to 28 U.S.C. § 636(b)(1), the parties are given notice that they have ten days to serve and file written objections to this Report and Recommendation.

DATE: October 8, 2008

KEITH A. PESTO  
Keith A. Pesto,  
United States Magistrate Judge

Notice by ECF to counsel of record and by U.S. Mail to:

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